

House File 2540 - Reprinted

HOUSE FILE 2540
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 683)

(As Amended and Passed by the House March 4, 2020)

A BILL FOR

1 An Act establishing a charity beer, spirits, and wine event
2 permit.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.32, subsection 1, paragraph b, Code
2 2020, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (7A) A charity beer, spirits, and wine
4 event permit as provided in section 123.173B.

5 Sec. 2. NEW SECTION. 123.173B Charity beer, spirits, and
6 wine event permit.

7 1. For purposes of this section, "*authorized nonprofit*
8 *entity*" includes a nonprofit entity which has a principal office
9 in the state, a nonprofit corporation organized under chapter
10 504, or a foreign corporation as defined in section 504.141,
11 whose income is exempt from federal taxation under section
12 501(c) of the Internal Revenue Code.

13 2. Upon application to the division and receipt of a charity
14 beer, spirits, and wine event permit, an authorized nonprofit
15 entity may conduct an event at which the entity is authorized
16 to serve the event's attendees beer, spirits, and wine for
17 consumption on the premises of the event, regardless of whether
18 the entity charges an admission fee to the event or otherwise
19 collects the cost of the beer, spirits, and wine served from
20 the event's attendees and subject to the requirements of this
21 section.

22 3. An application for a charity beer, spirits, and wine
23 event permit shall include all of the following information:

24 a. The date and time when the charity beer, spirits, and
25 wine event is to be conducted and the location of the premises
26 in this state where the charity beer, spirits, and wine event
27 is to be physically conducted.

28 b. The liquor control license or wine or beer permit number
29 issued by the division for the premises where the charity beer,
30 spirits, and wine event is to be conducted.

31 c. A certification that the objective of the charity beer,
32 spirits, and wine event is to raise funds solely to be used for
33 educational, religious, or charitable purposes and that the
34 entire proceeds from the charity beer, spirits, and wine event
35 are to be expended for any of the purposes described in section

1 423.3, subsection 78.

2 4. A charity beer, spirits, and wine event shall comply with
3 all of the following requirements:

4 a. The event is to be conducted on a premises covered by a
5 valid liquor control license or wine or beer permit issued by
6 the division.

7 b. The authorized nonprofit entity shall have a written
8 agreement with the liquor control licensee or wine or beer
9 permittee covering the premises where the event is to be
10 conducted specifying that that licensee or permittee shall act
11 as the agent of the authorized nonprofit entity for the purpose
12 of providing and serving alcoholic beverages to the attendees
13 of the event.

14 c. The liquor control licensee or wine or beer permittee
15 covering the premises where the event is to be conducted shall
16 supply all alcoholic beverages served to the attendees of the
17 event.

18 d. Only those types of alcoholic beverages as are authorized
19 to be sold by the liquor control license or wine or beer permit
20 covering the premises where the event is to be conducted are to
21 be served to the attendees of the event.

22 5. An authorized nonprofit entity shall be eligible to
23 receive no more than two charity beer, spirits, and wine event
24 permits during a calendar year and each charity beer, spirits,
25 and wine event permit shall be valid for a period not to exceed
26 thirty-six consecutive hours.

27 6. Any violation of the requirements of this chapter or
28 the rules adopted pursuant to this chapter shall subject the
29 charity beer, spirits, and wine event permit holder to the
30 general penalties provided in this chapter and shall constitute
31 grounds for imposition of a civil penalty, suspension of
32 the permit, or revocation of the permit after notice and
33 opportunity for a hearing pursuant to section 123.39 and
34 chapter 17A.

35 Sec. 3. Section 123.179, Code 2020, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 7. The fee for a charity beer, spirits, and
3 wine event permit is one hundred dollars.